

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

D. G. SWEIGERT,
Plaintiff,

23-cv-5875 (JGK)
23-cv-6881 (JGK)

- against -

JASON GOODMAN, ET AL.,

MEMORANDUM OPINION AND
ORDER

Defendants.

JOHN G. KOELTL, District Judge:

The defendant, Jason Goodman, moves to transfer this case to the Southern District of Indiana, Notice of Mot. to Change Venue, No. 23-cv-5875, ECF No. 111, based on a similar case that was pending in that District, see Def.'s Mem. in Support of Mot. to Change Venue at 1, ECF No. 112.

However, the case in Indiana has since been transferred to this District. See Req. for Judicial Notice, Ex. A, ECF No. 126. Judge Sweeney in the Southern District of Indiana would have dismissed the case as frivolous but transferred the case to this District in the interest of justice, should this Court wish to impose or enforce sanctions. See No. 24-cv-2203, ECF No. 83.

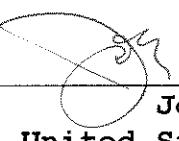
Therefore, there is no basis for a transfer of venue. See 28 U.S.C. § 1404(a) ("For the convenience of parties and witnesses, in the interest of justice, a district court may transfer any civil action to any other district or division where it might have been brought or to any district or division to which all parties have consented."). The basis for transfer was the existence of the case pending in Indiana and the convenience of the parties and

witnesses to have both cases pending in the same district. Because the Indiana case has now been transferred to this District, it is plain that the convenience of the parties and witnesses and the interests of justice would best be served by denying the motion to transfer this case to the Southern District of Indiana.

Accordingly, the defendant's motion for a transfer of venue to the Southern District of Indiana is **denied**. The Clerk is directed to close No. 23-cv-5875, ECF No. 111.

SO ORDERED.

Dated: New York, New York
May 21, 2024

 
John G. Koeltl
United States District Judge